



## IDAPA 37.03.09: Well Construction Standards Rules

# **Presentation: Improving Idaho's Well Construction Rules To Improve Resource Protection**

Idaho Department of Water Resources  
Resource Protection Bureau



# History of Revisions to IDAPA 37.03.09

- 1969: Well Construction Rules first adopted
- 1975, 1978, and 1988: Substantive revisions
  - 1993 - format *only* to comply with Administration
- 2000: IWRB authorizes revision to reflect more current practices and better protect resource
- 2000 – 2002: IDWR meets with the Drilling Community concerning language of new proposed regulations



# **Rule Revision Process: Phase 1**

## **Contract with Rocky Mountain Environmental (2002 - 2003)**

Identified Areas of the well construction standards in need of improvement to better protect groundwater resources:

- ★ Well sealing
- ★ Well abandonment
- ★ Well disinfection
- ★ Rule clarity
- ★ Rule enforceability



## **Rule Revision Process – Phase 2 Utilized Negotiated Rule Making Process**

- ◆ 13 Negotiated Rule Making Meetings Held from June '06 through March '08
- ◆ IDWR has prepared 13 drafts of the proposed rules with extensive input from stakeholders.
- ◆ Current Draft dated March 26, 2008 represents nearly two years of public input from stakeholders



## **Specific Rule Changes To Facilitate Improved Resource Protection**

- Update sealing requirements
  - Establish clear standards for well seals
  - Requires a minimum 58 foot seal from the surface
- Establish Clear Responsibilities for Well Owners
  - Maintenance
  - Abandonment
- Specify Disinfection Standards and Methodology
- Specify proper set back requirements consistent with DEQ and Health Department standards



## **Specific Rule Changes To Facilitate Improved Resource Protection (Cont'd)**

- Clarify Rules
  - Clarify definitions
  - Clarify Minimum Requirements.
  - Clarify conditions for use of PVC.
  - Clarify Permit Requirements and Fees consistent with Idaho Code.
- Modify Standards for Well Casing Thickness.
- Address Closed Loop (Geoloop) Heat Exchange Systems.
- Improve Requirements for Monitoring Wells.
- Update for consistency with more recent Licensing Rules.
- Expanded use of dry bentonite seal material



# Enforcement

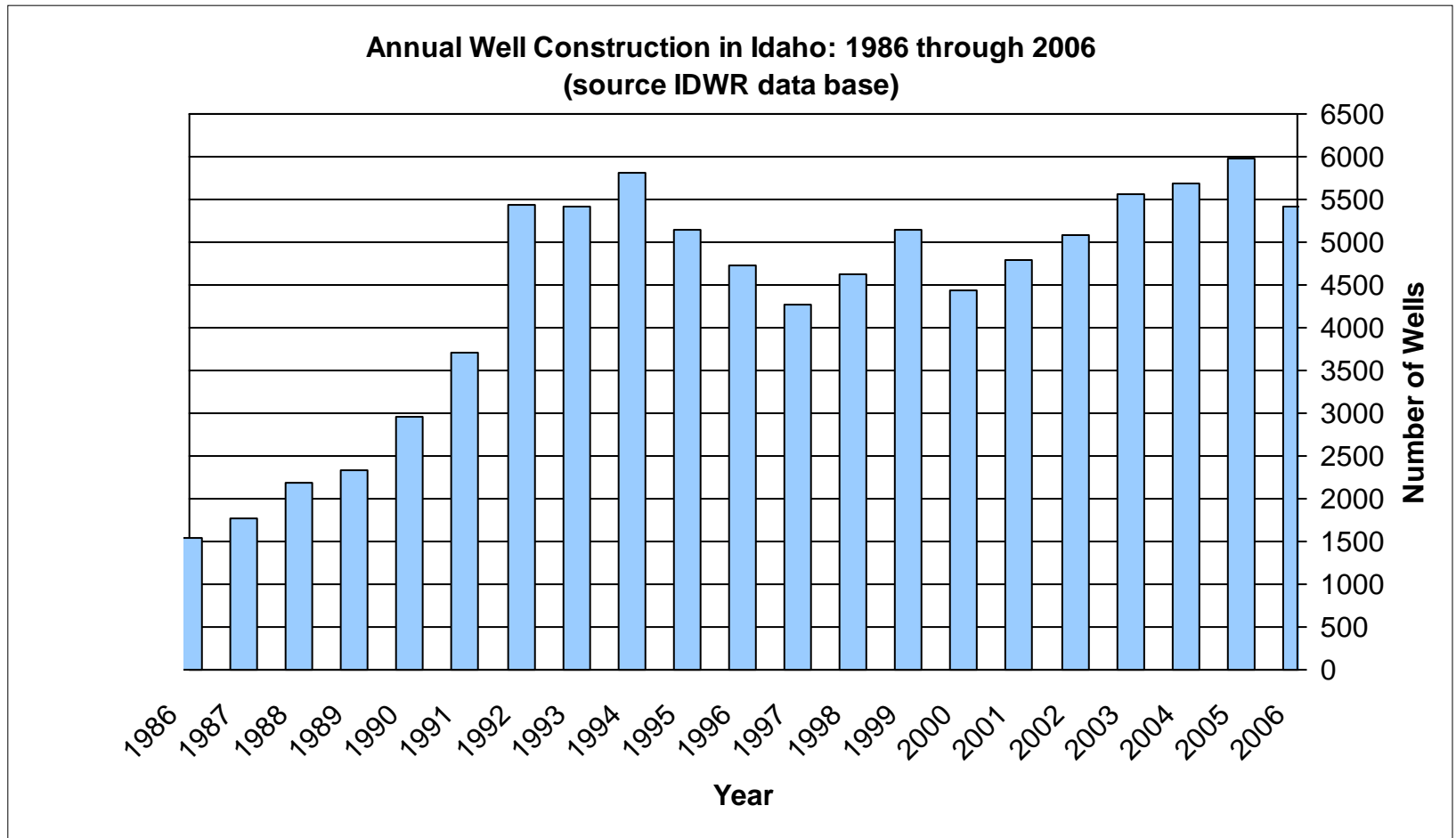
- IGWA, Drillers, and IDWR want more and consistent enforcement.
- New Rules will Improve Enforcement by Providing Clarity and Consistency
- Regional Consistency

# Improved Resource Protection is Critical

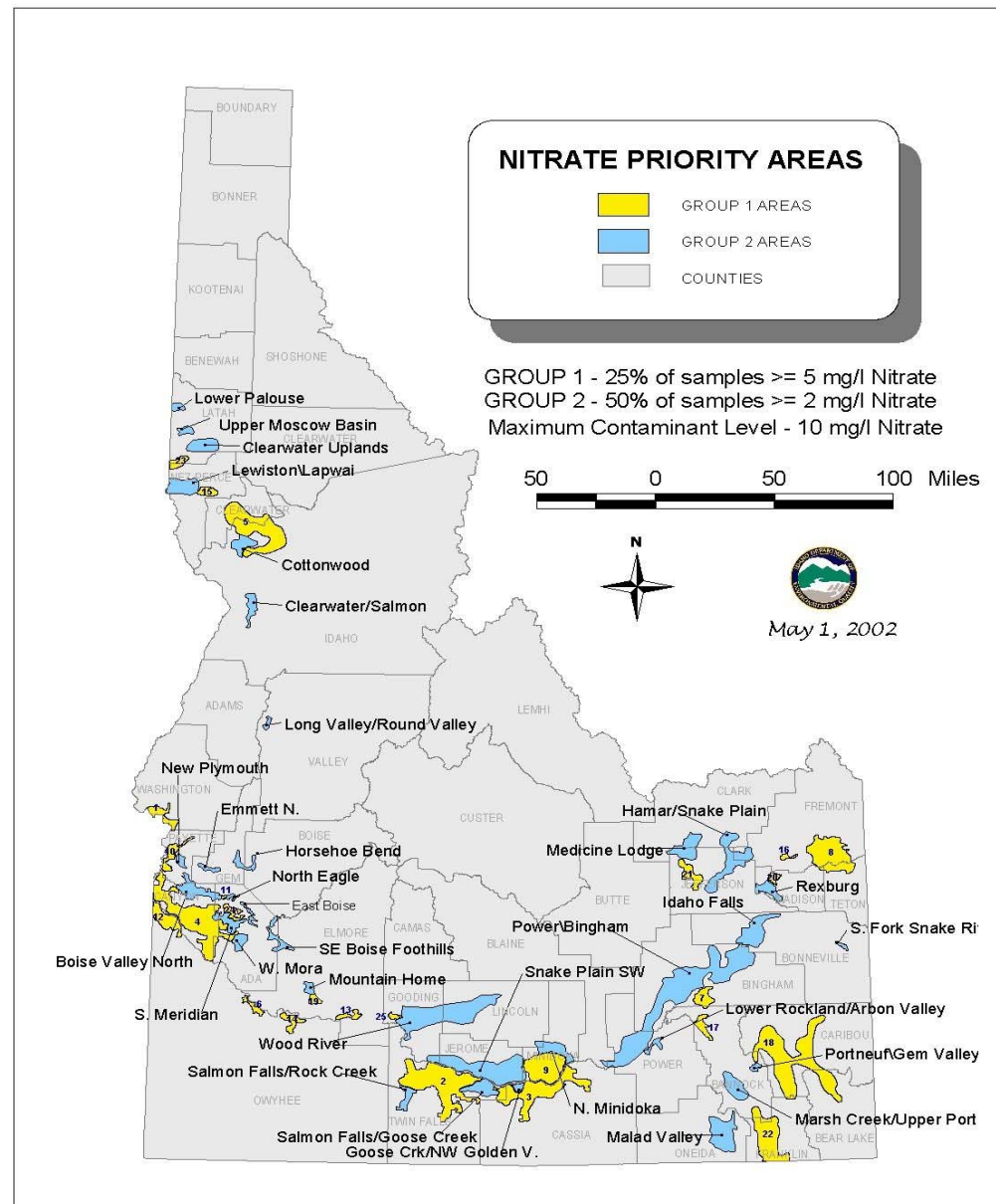
- Number of newly constructed wells continues to rise.
- Areas and extent of contamination continue to rise.
- Potential for pathways for waste and contamination increases with each new well.
- Orphaned wells must be properly abandoned to minimize pathways for contamination.



# Well Construction in Idaho Continues to Rise



# Areas of Groundwater Contamination are on the rise





# Conclusion

New rules represent advancement in Idaho well construction. Current Draft dated March 26, 2008 represents nearly two years of public input from stakeholders and 13 negotiated rulemaking meetings.

New rules provide for better state wide consistency regarding enforcement.

Improved well construction and improved enforcement facilitate improved resource protection.